United Nations A/ES-10/459–S/2009/401

General Assembly
Security Council

Distr.: General
4 August 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 3 August 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In deliberate and grave contravention of international law and United Nations resolutions, Israel, the occupying Power, continues to perpetrate illegal actions aimed at altering the demographic composition, character and status of the Occupied Palestinian Territory, especially in and around East Jerusalem. Israel continues this illegal and aggressive settlement campaign in blatant defiance of the international demands for Israel to comply with its legal obligations and to refrain from measures that could prejudge the outcome of final status negotiations.

In this regard, I must draw your attention to the occupying Power's latest eviction of Palestinian families from their homes in Occupied East Jerusalem. Yesterday, at 5 a.m. Palestine time and in the presence of dozens of peace activists and demonstrators, the occupying forces forcibly entered the homes of the Ghawi and Hanoun families and removed their belongings and expelled over 50 people, including 19 children, from their homes in the East Jerusalem neighbourhood of Sheikh Jarrah. The Ghawi and Hanoun families, who were in shock and attempted to resist the eviction, had lived in their homes for over 50 years. Moreover, following the eviction, witnesses saw vehicles bringing Israeli settlers and their belongings to occupy the Palestinian homes.

This constitutes only the latest attempt — and only one of the means — by the occupying Power to advance its settler colonization of East Jerusalem. Indeed, in addition to ongoing construction and expansion of settlements in and around the City as well as continuing home demolitions, revocation of residency permits, closure of Palestinian institutions and provocative excavations, the occupying Power has escalated its use of evictions to seize Palestinian homes and properties. In this regard, revealing the extent to which settler organizations have the official support of the Government, extremist settlers continue to take over and occupy homes from which Palestinian families have been unjustly and forcibly expelled.

09-44138 (E) 050809

Please recycle

The illegality of all such settlement activities in an occupied territory is directly addressed by the Fourth Geneva Convention, the Rome Statute of the International Criminal Court, and numerous Security Council, General Assembly, Economic and Social Council and Human Rights Council resolutions. The 9 July 2004 Advisory Opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, the fifth anniversary of which was recently commemorated, also reaffirmed the illegality of Israel's settlements in the Occupied Palestinian Territory as well as of the Wall, which is not only intricately related to the unlawful settlement campaign, but part and parcel of it, as established by the Court. Moreover, it must be recalled that under the Quartet road map, endorsed by the Security Council in its resolution 1515 (2003), Israel is called upon to freeze all settlement activities, including "natural growth", and to dismantle all settlement outposts established since 2001, neither of which the occupying Power has complied with and which, in fact, it continues to brazenly defy.

In this regard, the escalation of Israeli settlement activities, particularly in and around Occupied East Jerusalem, is not only fuelling already heightened tensions between the two sides, but also gravely threatening the prospects for realization of the two-State solution for peace. We thus urgently appeal to the international community, including the Security Council, to shoulder its responsibilities to bring an end to such destructive and illegal Israeli policies and measures and to salvage the prospects for peace.

The seriousness of this matter was apparent in the most recent Security Council meeting addressing the situation in the Occupied Palestinian Territory on 27 July 2009. During that meeting, the Council members and all States addressing the Council were unanimous in their call for an immediate and complete halt to all Israeli settlement activities as absolutely fundamental for the pursuit of peace based on the two-State solution on the basis of the pre-1967 borders.

That serious debate in the Security Council requires the urgent exertion of equally serious efforts at this critical juncture to pressure Israel, the occupying Power, to cease all violations of international law, including its construction of illegal settlements and the annexation Wall in the Occupied Palestinian Territory, which affect every single aspect of Palestinian life and are destroying not only the economy but the very social fabric and contiguity and integrity of the Palestinian Territory, including East Jerusalem, which constitutes the heart of that Territory. Indeed, if the international community wishes to ever see the Middle East as a region of peace, rather than a region of perpetual wars, turmoil, occupations and human rights violations, the occupation of Palestinian and other Arab territories must end.

This letter is in follow-up to our previous 341 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 July 2009 (A/ES-10/458-S/2009/338), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador, Permanent Observer
of Palestine to the United Nations